

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

SHEENAH ARENZ, et al.,

Plaintiffs,

Case No. 19-CV-949

vs.

INMATE SERVICES CORP., et al.,

Defendants.

**AFFIDAVIT OF ROBERT A. LEVINE IN SUPPORT OF
MOTION FOR DEFAULT JUDGMENT**

Robert A. Levine, being first duly sworn, on oath deposes and says as follows:

1. He is the attorney for the plaintiff Sheenah Arenz (hereinafter "Arenz") in the above-entitled matter, and makes this affidavit for the purpose of obtaining a default judgment in favor of Arenz and against the defendants Marius Nesby (hereinafter "Nesby") and Inmate Services Corp. (hereinafter "Inmate").
2. Attached hereto as Exhibit A is the transcript of the deposition of Arenz conducted on January 9, 2020.
3. Upon information and belief, after an extradition hearing in Phoenix, Arizona on April 12, 2018, Arenz was to be extradited from the Maricopa County Jail to Winnebago County, Wisconsin.
4. On May 12, 2018, Arenz was picked up for extradition to Wisconsin by defendant Nesby, as an employee/agent/contractor of defendant Inmate; that Nesby was responsible for transporting Arenz from Arizona to Wisconsin on behalf of Inmate; and that Nesby informed

Arenz he had 180 days to return her to Wisconsin.

5. Over the course of Nesby trip to Wisconsin with Arenz, Nesby sexually assaulted Arenz five times, including after Arenz made it explicitly clear that she was uncomfortable; that Nesby threatened Arenz; that subsequent to a sexual assault incident between Nesby and Arenz at Inmate's Arkansas corporate office, Nesby urged another Inmate employee to tell Arenz "she will die if she tells anyone what happened in here"; that said employee subsequently told Arenz "you better never tell a soul about this"; that defendant Inmate failed to control, train, and/or supervise Nesby during this time.

6. As a result of Inmate's failure to control, train, or supervise the defendant Nesby, the plaintiff Arenz was subjected to persistent sexual assault and battery, threats of false imprisonment, and threats against her life by Nesby.

7. As a result of defendant Nesby's persistent sexual assault and battery, plaintiff Arenz suffered both physical and mental injury, and her ability to enjoy life has been substantially impaired, including but not limited to, suffering from anxiety and insomnia.

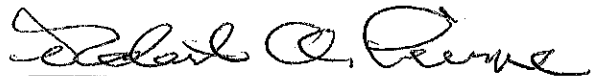
8. As a result, the plaintiff Arenz incurred the following medical bills: Fort Healthcare Behavioral Health in the amount of \$505.00; Directions Counseling Center in the amount of \$265.00; SSM Health in the amount of \$1,712.00, which medical bills are attached hereto as Exhibits B through D and made a part of this Affidavit.

9. Since defense counsel moving to withdraw on April 3, 2020, defendants Inmate and Nesby have failed to plead and otherwise defend their case; including but not limited to, failing to retain new counsel pursuant to court order and failing to file any pretrial submissions pursuant to court order.

10. The Clerk entered default against the defendants Inmate and Nesby on September 24, 2021.

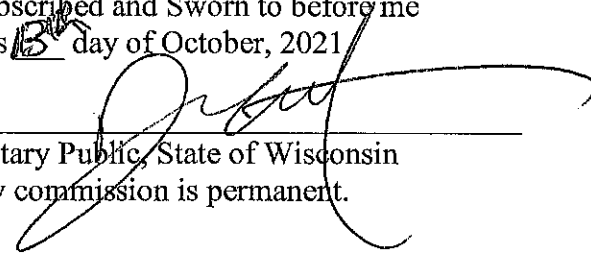
11. Your Affiant makes this affidavit for the purpose of obtaining a default judgment against the defendants Inmate and Nesby in the amount of \$100,000.00 plus the above special damages in the amount of \$2,482.00 and punitive damages in the amount of \$50,000.00 for a total of \$152,482.00.

Dated at Milwaukee, Wisconsin this th13 day of October, 2021.



Robert A. Levine
State Bar No. 1011965

Subscribed and Sworn to before me
this th13 day of October, 2021



Notary Public, State of Wisconsin
My commission is permanent.